

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.

Plaintiff,

v.

KYOCERA CORPORATION,
KYOCERA COMMUNICATIONS, INC.,
KYOCERA INTERNATIONAL, INC.,
KYOCERA AMERICA, INC., and
CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS.

Defendants.

CIVIL ACTION NO. 6:13-cv-854

STIPULATION REGARDING TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA, CONSENT TO TRIAL BEFORE THE MAGISTRATE JUDGE, AND JOINT UNOPPOSED MOTION TO RELATE THE ABOVE-STYLED ACTION TO CASE NOS. 5:13-CV-1774, -1776, -1777, -1778, -1844, -2023, AND 5:14-CV-1259, -1379, -1380, -1385, -1386, -1387 CURRENTLY PENDING IN THE NORTHERN DISTRICT OF CALIFORNIA

Plaintiff Adaptix, Inc. (“Adaptix”) and Defendants Kyocera Communications, Inc. (“KCI”) and Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) hereby stipulate and agree as follows:

1. Subject to and upon the dismissal of Defendants Kyocera Corporation (“KCJ”), Kyocera International, Inc. (“KII”), and Kyocera America, Inc. (“KAI”) from this case pursuant to a separate Stipulation Regarding Dismissal of Certain Kyocera Defendants being filed concurrently with this Stipulation, the filing of a Joint Motion to Transfer Case No. 6:13-cv-854 from the Eastern District of Texas to the Northern District of California (“Joint Transfer Motion”), and the Court entering an order granting the Joint Transfer Motion and transferring the case from the Eastern District of Texas to the Northern District of California, Adaptix, KCI, and Verizon Wireless will file

in the Northern District of California a Joint Motion to Relate Case No. 6:13-cv-854 to the following Adaptix cases currently pending before Magistrate Judge Grewal in the Northern District of California: Case Nos. 5:13-cv-1774, -1776, -1777, -1778, -1844, -2023, and 5:14-cv-1259, -1379, -1380, -1385, -1386, and -1387.

2. Subject to this case being assigned to Magistrate Judge Grewal, Adaptix, KCI, and Verizon Wireless agree to file in the Northern District of California respective notices of consent to proceed before Magistrate Judge Grewal for all purposes, including trial, in the Northern District of California in this case.

3. Subject to this case being transferred to the Northern District of California and assigned to Magistrate Judge Grewal, Adaptix, KCI, and Verizon Wireless each agree that any witnesses, including fact and Fed. R. Civ. P. 30(b)(6) witnesses, will be produced only within the lower 48 United States. This provision applies to any relevant KCJ, KII, and KAI witnesses who are produced for deposition by KCI in accordance with the terms of the separate Stipulation Regarding Dismissal of Certain Kyocera Defendants being filed concurrently with this Stipulation. The depositions of any KCI, KCJ, KII, or KAI witnesses will be taken in the San Francisco or Los Angeles office of Quinn Emanuel Urquhart & Sullivan, LLP.

4. In the event that this case is not actually transferred to the Northern District of California, the stipulations in the immediately preceding Paragraphs 1-3 will become null and void.

Respectfully submitted,

/s/ Craig Tadlock (with permission)

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 28th day of May, 2014.

/s/ Jennifer H. Doan

Jennifer H. Doan